

PATENT  
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Typed or Printed Name	Kimberly W. Zuehlke	
Signature	<i>Kimberly W. Zuehlke</i>	
Date	9/21/01	
Application No.	09/608,713	
Confirmation No.	2056	
Filing Date	June 30, 2000	
First Named Inventor	Hideo Ago et al.	
Examiner	B. Hutson	
Group Art Unit	1652	
DOCKET NO.	SHIM007	

**RESPONSE TO RESTRICTION REQUIREMENT**

Address to:  
Commissioner of Patents and Trademarks  
Washington, D.C. 20231

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Sir:

This is in response to the Restriction Requirement dated August 28, 2001. The Examiner therein required election of one of the following groups of claims:

- Group I: Claims 19-27, drawn to a HCV polymerase polypeptide;
- Group II: Claim 28, drawn to a DNA encoding an HCV polymerase;
- Group III: Claims 29 and 32, drawn to a method for determining the three-dimensional structural coordinates of a variant of HCV polymerase;
- Group IV: Claims 30-33, drawn to a method of identifying an HCV polymerase; and
- Group V: Claims 34-36, drawn to HCV polymerase inhibitors..

Applicants hereby elect to prosecute the claims of Group IV, claims 30-33, with traverse. As stated in the MPEP §803, if search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions. It is Applicants' position that it would not be unduly burdensome to perform a search on claims 1-29 together. Accordingly, Applicants traverse the restriction requirement.

Applicants expressly reserve the right under 35 USC §121 to file a divisional application directed to the non-elected subject matter or any subject matter disclosed in the application during the pendency of this application.

Atty Dkt. No.: SHIM007  
USSN: 09/608,713

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number SHIM007.

Respectfully submitted,  
BOZICEVIC, FIELD & FRANCIS LLP

Date: 2/14/2007

By: Karl Bozicevic

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# CERTIFICATE OF MAILING

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Name (Print Name) Kimberly W. Zuehlke Signature Kimberly W. Zuehlke Date 9/21/01

OCT 03 2001  
PATENT & TRADEMARK

## TRANSMITTAL

☐ Small Entity

☒ Large Entity

Application Number 09/608,713  
 Confirmation Number 2056  
 Filing Date June 30, 2000  
 First Named Inventor Hideo Ago et al.  
 Examiner B. Hutson  
 Group Art 1652  
 Attorney Docket No. SHIM007

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### ENCLOSED:

☒ Restriction Requirement

☐ 37 CFR §

☒ Pages 2

Claims	No. of claims as filed or after amendment	Most claims previously paid for	# Extra Claims	Rate	Totals
Total	18	20	0		\$ -
Independent	12	12	0		\$ -
Multiple					
Total Extra Claim Fees					\$ -

Fee

☐ Applicants Petition for an Extension of time from \_\_\_\_\_ to \_\_\_\_\_

A    month extension was previously filed and paid for thereby reducing the basic fee

☐ Response to File Missing Parts (with copy of formalities letter)

☐ Filing Fee

☐ Executed Declaration

☐ Other \_\_\_\_\_

Pages \_\_\_\_\_

Fee \_\_\_\_\_

Surcharge Fee \_\_\_\_\_

Fee \_\_\_\_\_

Fee \_\_\_\_\_

Fee \_\_\_\_\_

Fee \_\_\_\_\_

Subtotal \$ -

☐ Information Disclosure Statement

☐ PTO Form 1449

☐ \_\_\_\_\_ Copies of Cited References

☐ Other \_\_\_\_\_

Pages \_\_\_\_\_

Fee \_\_\_\_\_

Subtotal \$ -

☐ Response to Notice to Comply (with copy of Notice to Comply)

☐ Sequence Listing Certification

☐ Paper Copy of Sequence Listing

☐ Diskette in computer-readable format

☐ Other \_\_\_\_\_

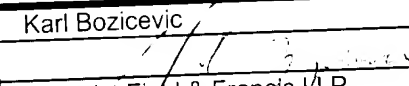
Pages \_\_\_\_\_

Fee \_\_\_\_\_

<input type="checkbox"/> Terminal Disclaimer		Fee
<input type="checkbox"/> Appeal to Board of Appeals and Appeal Communication to Group		Fee
<input type="checkbox"/> Notice of Appeal	Pages	Fee
<input type="checkbox"/> Appeal Brief in Triplicate	Pages	Fee \$ -
<input type="checkbox"/> Reply Brief	Pages	Subtotal \$ -
<input type="checkbox"/> Other Enclosures and/or Fees		Fee
<input type="checkbox"/> Change of Correspondence Address		Fee
<input checked="" type="checkbox"/> Return Receipt Postcard		TOTAL FEES \$ -

**The Commissioner is authorized to charge any fees which may be required, or credit any overpayment to Deposit Account 50-0815. If additional fees are required, including extensions of time, please consider this a petition therefore. A duplicate copy of this transmittal is enclosed.**

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED**

Name (Print/Type)		Karl Bozicevic		Registration No.		28,807	
Signature				Date		Sept 21, 2001	
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